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SUBJECT: Suriname: 2009 Information on Child Labor and Forced Labor
Information for DOL Congressional Reporting Requirements

REF: 09 STATE 131997

¶1. (U) Post is pleased to submit 2009 information on Child Labor
and Forced Labor.

¶2. (U)

SECTION I/TVPRA

Post does not have any additional information on goods to provide.
There is no evidence that any Suriname-produced goods are produced
using forced labor or exploitative child labor.

SECTION II/TDA

2A, PREVALENCE AND SECTORAL DISTRIBUTION OF EXPLOITIVE CHILD LABOR

¶1. There are no current statistics on how many children in Suriname are involved in exploitative child labor, or in which sectors they may be working. Based on anecdotal evidence, prevalence of exploitative child labor is projected to be low. The Commission for the Eradication of Child Labor, established November 20, 2009 by President Venetiaan is preparing Terms of Reference to hire a consultant in March 2010 to study this issue and generate statistics. The completed study is expected at the close of 2010. The Ministry of Labor, Technology, and Environment is also planning a research project with UNICEF. Anecdotal evidence indicates that some child labor takes place in Suriname's agricultural sector, and that domestic workers sometimes bring their children to work with them. There are reports that boys under age 14 convey luggage for boat passengers at border crossings. There are also reports that some minors worked in brothels. It is believed that some children are working in stores. Suriname's Ministry of Justice and Police tackled the issue of children working as street vendors in 2007 when it instituted a strict policy that children are not to vend without an adult family member present. The Ministry rounded up a number of children that it put in the juvenile detention center; the children were later released to their parents but the prevalence of child street vendors decreased. There are currently three extended families that are involved in child street vending.

¶2. (U) The government did not collect or report data on exploitative child labor during the reporting period. The most recent study on

child labor was conducted in 2002 by Dr. Maarten Schalkwijk and Wim van den Berg of the ILO Subregional Office for the Caribbean. This study showed that child labor is mainly found in the sectors of agriculture, mining, fisheries, and logging. In Nickerie and Marowijne, children are sometimes employed in the cultivation and processing of rice as well as the harvesting of fruit. In the interior, children sometimes assist with gold mining, logging, and fishing. Statistics breaking down child labor by sector, however, were not available. Furthermore, this study did not use an internationally recognized definition of worst forms of child labor.

2B, LAWS and REGULATIONS

¶1. No new laws or regulations were enacted in regard to exploitive child labor in 2009.

¶2. Legislation to prevent child labor exists in the country's labor law. Although Articles 17-19 of the 1963 Labor Law ban child labor, the country's legal and regulatory framework is not adequate for addressing exploitive child labor. The newly formed Commission for the Eradication of Child Labor will make recommendations on what additional laws are needed. There is a discrepancy between the minimum age for employment (14) and the compulsory education

age regulation, which requires students to go to school through age 12. ILO Convention 138 can only be ratified if the maximum compulsory education age conforms to the ILO norm and is set to at least age 14. The Chair of the Commission told us that the passage of the draft Education Bill is key, because it will adjust the compulsory education age from 12 to 14 years. The Council of Ministers sent the bill back to the Ministry of Education for redrafting, so the Commission plans to request this year that the Ministry of Education to submit separately to the Council of Ministers the specific article on the compulsory education age.

2C, INSTITUTIONS AND MECHANISMS FOR ENFORCEMENT /HAZARDOUS CHILD LABOR & FORCED CHILD LABOR

2C, Section I: Hazardous Child Labor

¶1. The Ministry of Labor, Technology, and Environment and the Ministry of Justice and Police had main responsibility for the enforcement of laws relating to hazardous child labor. Other ministries have a youth focal point for youth-related issues, in general. There are also Youth Affairs Police, who handle all issues related to youth up until the age of eighteen.

¶2. The main mechanism for exchanging information between the ministries responsible for enforcement is via the newly formed (November 20, 2009) Commission for the Eradication of Child Labor. This Commission includes representatives from several government ministries as well as representatives from civil society (e.g. university, labor unions). It has eleven members and meets twice monthly. The role of the Commission is to advise the Surinamese government on the issue of child labor, review the appropriate labor legislation, propose legislative changes, and develop a list of occupations involving the worst forms of child labor.

¶3. There is no special mechanism for lodging complaints of hazardous child labor conditions. Complaints are handled by either labor inspectors at the Ministry of Labor, Technology, and

Environment, or by the police. The government also has a phone hotline ("1-2-3") for children/youth that provides confidential advice and aid to those children in need, but does not specifically target child labor issues. Children can call the hotline at any time. Statistics regarding the topics raised in these hotline calls were not available. Employers are required to maintain a Register of Young Persons that includes each employee's information.

¶4. Information on the funding was not made available. In most cases, labor inspectors use their personal vehicles and receive transportation reimbursement from the Ministry.

¶5. The Department of Labor Inspection (Ministry of Labor, Technology, and Environment) has approximately 75 inspectors currently in service. There are an additional 25 aspiring labor inspectors in a training program.

¶6. Information on numbers of inspections was not made available.

¶7. No information on the number of children removed/assisted was made available.

¶8. There were no child labor cases opened in 2009.

¶9. No child labor cases were resolved in 2009. Employing a child under 14 years is punishable by fines and up to 12 months in prison. Parents who permit their children to work in violation of labor laws may also be prosecuted.

¶10. There were no convictions for child labor in 2009.

¶11. The length of time to resolve child labor cases is unknown.

¶12. No penalties in case of violations were applied in 2009. As part of its ratification of ILO Convention 182, the GOS has promulgated laws concerning the worst forms of child labor, including forced labor, trafficking for child prostitution (TIP), and child pornography. All are punishable with a minimum sentence of 10 years imprisonment. Further, regulations concerning minimum working age and inappropriate working hours for youth between the ages of 14 and 18 are generally respected by the public; minors are not allowed to work between 7 pm and 6 am because the GOS considers these working hours as hazardous to minors. Minors under the age of 15 are not permitted to work in boats. There is no list of occupations considered to be worst forms of child labor.

¶13. Due to limited information, an assessment cannot be made regarding government commitment to combat exploitative child labor.

¶14. The government is currently training 25 additional aspiring labor inspectors.

¶11. The Ministry of Labor, Technology, and Environment and the Ministry of Justice and Police had main responsibility for the enforcement of laws relating to forced child labor. Other ministries have a youth focal point for youth-related issues, in general. The Youth Affairs Police handle all issues related to youth up until age eighteen. The TIP Police Unit handles all issues related to trafficking in persons, to include arrests in forced child labor cases after an investigation is completed by the labor inspectors at the Ministry of Labor.

¶12. The main mechanism for exchanging information between the ministries responsible for enforcement is via the newly formed (November 20, 2009) Commission for the Eradication of Child Labor. This Commission includes representatives from several government ministries as well as representatives from civil society (e.g. university, labor unions). It has eleven members and meets twice monthly. The role of the Commission is to advise the Surinamese government on the issue of child labor, review the appropriate labor legislation, propose legislative changes, and develop a list of occupations involving the worst forms of child labor.

¶13. There is no special mechanism for lodging complaints of forced labor conditions. Complaints are handled by the police or by labor inspectors at the Ministry of Labor, Technology, and Environment. There is a Trafficking in Persons Police Unit which handles cases of trafficking and forced labor. The government also has a phone hotline ("1-2-3") for children/youth that provides confidential advice and aid to those children in need, but does not specifically target child labor issues. Children can call the hotline at any time. Statistics regarding the topics raised in these hotline calls were not available.

¶14. Information on the funding was not made available. In most cases, labor inspectors use their personal vehicles and receive transportation reimbursement from the Ministry.

¶15. The Department of Labor Inspection (Ministry of Labor, Technology, and Environment) has approximately 75 inspectors currently in service. There are an additional 25 aspiring labor inspectors in a training program.

¶16. Information on numbers of inspections was not made available.

¶17. No information on the number of children removed/assisted was made available.

¶18. There were no child labor cases opened in 2009.

¶19. No child labor cases were resolved in 2009. Employing a child under 14 years is punishable by fines and up to 12 months in prison. Parents who permit their children to work in violation of labor laws may also be prosecuted.

¶10. There were no convictions for child labor in 2009.

¶11. Information about time to resolve cases was not available.

¶12. There were no penalties for violations in 2009. As part of

its ratification of ILO Convention 182, the GOS has promulgated laws concerning the worst forms of child labor, including forced labor, trafficking for child prostitution (TIP), and child pornography. All are punishable with a minimum sentence of 10 years imprisonment. Further, regulations concerning minimum working age and inappropriate working hours for youth between the ages of 14 and 18 are generally respected by the public; minors are not allowed to work between 7 pm and 6 am because the GOS considers these working hours as hazardous to minors. Minors under the age of 15 are not permitted to work in boats. There is no list of occupations considered to be worst forms of child labor.

¶13. Due to limited information, an assessment government commitment to combat forced child labor cannot be made. Government officials have told us there is a zero tolerance policy on forced child labor.

¶14. The government is currently training 25 additional aspiring labor inspectors.

2D, INSTITUTIONAL MECHANISMS FOR EFFECTIVE ENFORCEMENT

2D, SECTION I: Child Trafficking

¶11. Suriname has a 6-person police unit dedicated to Trafficking in Persons.

¶12. The amount of funding provided to the Trafficking in Persons Police Unit is unknown. The investigators have sufficient U.S.-government donated office facilities, equipment and transportation to carry out their investigations. The investigators have noted that slow police-provided car maintenance and a temporary lack of internet service have complicated their work.

¶13. The government maintained a "1-2-3" hotline for children on all issues. The telephone number for the Trafficking in Persons Police Unit is also publicly available. There were no new cases or arrests for trafficking of minors in 2009.

¶14. There were no new cases or arrests for trafficking of minors in ¶2009.

¶15. No minors were rescued in 2009.

¶16. On June 9, 2009, a judge sentenced a Dutch man and two Guyanese women (arrested in September 2008) for a 2008 trafficking of a minor and forcing her to work as a sex worker. The Dutch man received two years' imprisonment, one woman received 9 months' imprisonment and a 3,000 SRD fine (1,071 USD), and the second woman received 1.5 years' imprisonment and a 10,000 SRD (3,571 USD) fine. The two women appealed their sentences.

¶17. The above case was resolved in 2009.

¶8. There were three convictions for trafficking of minors in 2009 (see paragraph 6).

¶9. The sentences imposed did not meet standards in the Penal Code. The penalties for trafficking in persons for sexual exploitation and for trafficking for labor exploitation range from five to twenty years' imprisonment.

¶10. The sentences imposed were not fully served. The two women were released from prison after having served two-thirds of their sentences. They have not yet paid the fines pending the outcome of their appeals.

¶11. It takes an average of six to nine months to resolve a child trafficking case.

¶12. The government did not offer any training for investigators or others responsible for enforcement of child trafficking in 2009.

¶13. The country did not experience armed conflict during the rating period.

2D, SECTION II: COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (CSEC)

¶1. Suriname has a 6-person police unit dedicated to Trafficking in Persons. Trafficking of minors for sexual purposes includes coverage of all sexual activities of minors because they are not of the age of consent.

¶2. The amount of funding provided to the Trafficking in Persons Police Unit is unknown. The investigators have sufficient U.S.-government donated office facilities, equipment and transportation to carry out their investigations. The investigators have noted that slow police-provided car maintenance and a temporary lack of Internet service have complicated their work.

¶3. The government maintained a "1-2-3" hotline for children on all issues. The telephone number for the Trafficking in Persons Police Unit is also publicly available. Clear statistics on CSEC were not kept but there may have been no new cases of CSEC in 2009.

¶4. Clear statistics on CSEC were not available. There may have been no new cases or arrests for CSEC in 2009.

¶5. It is believed that no minors were rescued in 2009.

¶6. On June 9, 2009, a judge sentenced a Dutch man and two Guyanese women (arrested in September 2008) for trafficking an underage Guyanese girl. The Dutch man received two years' imprisonment, one woman received 9 months' imprisonment and a 3,000 SRD find (1,071 USD), and the second woman received 1.5 years' imprisonment and a 10,000 SRD (3,571 USD) fine. The two women appealed their sentences.

¶17. The Youth Affairs Police removed two disabled children of sex workers from their homes due to suspicion of neglect, sexual abuse, or trafficking a minor. The parents were not charged.

¶18. There were three convictions for trafficking of minors in 2009 (see paragraph 6). Statistics on CSEC were not clear.

¶19. On July 29, the criminal law was revised to include penalties against child prostitution. The maximum penalty is six years' imprisonment, and the maximum fine is SRD 100,000 (\$35,715). The law also prohibits child pornography, which has a maximum penalty of six years' imprisonment and maximum fine of SRD 50,000 (\$17,857).

¶10. No violations were found in 2009.

¶11. It takes an average of six to nine months to resolve court cases.

¶12. The government did not offer any training for investigators or others responsible for enforcement of CSEC in 2009.

¶13. The country did not experience armed conflict during the rating period. The minimum age to enlist in the military is 18.

2D, SECTION III: USE OF CHILDREN IN ILLICIT ACTIVITIES

¶11. There is a special 47-person Youth Affairs Police Unit that covers youth until the age of eighteen.

¶12. The Youth Affairs Police Unit reported adequate funding.

¶13. The government maintained a "1-2-3" hotline for children on all issues.

¶14. In 2009, the Youth Affairs Police handled two cases of possible parental neglect/trafficking of disabled minors by removing the minors from their homes and three cases of counseling parents on not having their children work as street vendors.

¶15. Two children were removed from their homes for possible CSEC; no other children were removed from their homes.

¶16. No arrests or prosecutions took place in 2009. The Youth Affairs Police Unit calls parents in for "warnings" and education about risks to youth on the street. In cases where parents insist they need the child to earn a living, the Youth Affairs Police Unit contacts the Ministry of Social Affairs to assist the family in

applying for public assistance.

¶7. No cases were resolved in 2009.

¶8. There were no convictions in 2009.

¶9. There were no convictions in 2009.

¶10. There were no convictions in 2009.

¶11. It takes six to nine months to prosecute a case.

¶12. No training was made available in 2009.

¶13. There was no participation in armed conflict during the reporting period or recent past.

2E, GOVERNMENT POLICIES ON CHILD LABOR

¶11. The newly formed Commission for the Eradication of Child Labor will review existing policies and legislation and make recommendations to the appropriate Ministries. One of its first tasks should be to clearly define the existing legal framework on child labor, specifically for the construction and agricultural sectors.

¶12. Exploitive child labor has been incorporated into the Multi-Annual Development Plan (MDP) 2006-2011 (which looks at poverty reduction) and the eight Millennium Development Goals.

¶13. Three-year funding for the Commission became available from the Ministry of Labor, Technology, and Environment beginning November ¶2009.

¶14. The government provides technical assistance.

¶15. Additional information on government policies and plans was not available.

¶16. The Commission for the Eradication of Child Labor was officially launched on November 20, 2009.

¶17. The government did not sign any new agreements on combating trafficking in 2009. Suriname had previously ratified in 2006 ILO Convention 182, Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor. ILO Convention 138, the Convention Concerning the Minimum Age for Admission to Employment, is pending ratification. While the Government of Suriname (GOS) has expressed interest in this convention since 2000, it has not yet taken the necessary steps to

ratify because the draft law changing the age of compulsory education from 12-14 is pending.

2F, SOCIAL PROGRAMS TO ELIMINATE OR PREVENT CHILD LABOR

¶11. The government did not implement social programs to prevent and withdraw children from the worst forms of child labor. The government did support school dropouts and older children with vocational programming, but did not have a substantial anti-poverty program with an impact on child labor. A private Labor College initiated a program in 2004-2006 to take boys off the streets, but many preferred to stay on the streets earning money. The first group of graduates of this program finished training in 2009.

¶12. Information on whether child labor was addressed in poverty reduction and other social programs was not available.

¶13. Information on whether the government provided funding to social programs that included child labor was not available.

¶14. Information on whether the government provided non-monetary support to child labor programs was not available.

¶15. Additional information on government programs was not available.

¶16. In 2009, the Commission for the Eradication of Child Labor was formed in response to Suriname's international commitments to fight child labor.

2G. CONTINUAL PROGRESS

¶11. With the Government of Suriname's establishment of the Commission for the Eradication of Child Labor in late 2009, significant progress should be expected in 2010.

NAY